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INFO RUCNAFG/AFGHANISTAN COLLECTIVE PRIORITY

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SENSITIVE  
SIPDIS

KABUL FOR COS USFOR-A

E.O. 12958: N/A  
TAGS: [PGOV](#) [AF](#)  
SUBJECT: JUSTICE MINISTER DANESH: SLOW MOVEMENT ON SHIA LAW  
AMENDMENTS, FASTER ON ELIMINATING VIOLENCE AGAINST WOMEN  
DRAFT BILL.

REF: A. (A) KABUL 01014  
[1](#)B. (B) KABUL 00971  
[1](#)C. (C) KABUL 00914  
[1](#)D. (D) KABUL 00896  
[1](#)E. (E) KABUL 00868  
[1](#)F. (F) KABUL 00845  
[1](#)G. (G) KABUL 00837

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Summary  
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[1](#)1. (SBU) Justice Minister Danesh told us May 25 that the Ministry has completed its formal consultation process with civil society on amending the Shia Family Law. It will, however, continue to take substantive input from stakeholders. The Embassy will soon submit comments, based on analysis from Embassy-contracted legal analysts. The Ministry will share its proposed amendments to civil society (and us) before it submits them formally to the Cabinet. Danesh made no predictions on a timeline, but hinted there would be no action until after the August 20 election. On the draft Eliminating Violence Against Women (EVAW) bill, Danesh pledged to push the legislation through Cabinet approval long before the planned late June visit of S/GWI Ambassador Verveer.

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Shia Family Law: Slow and deliberate consultation  
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[1](#)2. (SBU) Polcouns and ROL Coordinator requested a call on Minister Danesh for an update on the Shia Law and EVAW bill. Danesh recapped the consultation process with civil society and the Kabul-based international community. The Ministry was still studying and consolidating the extensive input from the stakeholders. We informed Danesh that legal experts under contract to the USAID Rule of Law program as well as those under contract to INL's Justice Sector Support Program had done an assessment and developed proposed changes to the law. Danesh welcomed the input.

[1](#)3. (SBU) Danesh told us that certain religious leaders have continued to criticize Danesh, the Ministry and the Government for undertaking the consultation process. They contend the President's signature on the law effectively closed the case, and the existing legislation had the full effect of law.

[1](#)4. (SBU) We welcomed Danesh's pledge to share the Ministry's proposed amendments with civil society and other stakeholders prior to moving the amendments to the Cabinet for approval -- the intermediate step before the executive branch would submit the amendments to the Parliament. As for a timeline, Danesh declared he was awaiting guidance from the Palace. He made no predictions, but noted that many expected no action

on the bill until after the election.

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EVAW draft bill: Push on the Executive Branch Process  
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¶5. (U) Polcouns told Danesh the Embassy had studied the EVAW bill and found it to be a strong piece of legislation. We were disappointed it was not moving through the Administration as quickly as we had expected. We informed Danesh that S/GWI Ambassador Verveer planned to visit Kabul in late June. We would welcome cabinet approval prior to her arrival.

¶6. (U) Danesh stated that the Ministry of Women's Affairs had just recently submitted some changes to the bill. The Justice Ministry was integrating those changes, with the goal of getting the revised legislation to VP Khalili's staff - the next and final step before a bill is put to the Cabinet for review. Danesh pledged to work on getting the bill through Cabinet approval prior to the end of June.  
EIKENBERRY